

United States District Court for the
Middle District of Pennsylvania

FILED
SCRANTON

Norman A. Shelton
Plaintiff
"vs"

OCT 24 2011

No. 4:11-cv-0368
(Judge Healon)

PER AM
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defendants.

Warden Bledsoe et al.

Plaintiff's Statement of Disputed
of actual issues.

Defendants have moved for summary judgment on the ~~_____~~. Plaintiff's claim concerning deliberate indifference to his safety and excessive use of force with regards to his cellmate attacking an assaulting him on August 30, 2009. And another assault of his cell-mate on Nov, 26, 2009. Pursuant to local rules _____ of this Court, The Plaintiff submits the following list of genuine issues of material facts that require the denial of the defendant's motion.

1.) whether, Plaintiff injuries from his cellmate, jumped him when he was in handcuffs (and) hands were behind his back resulted from his own omission or the officials who refused to act upon the Plaintiff and gang members complaint, stating, "US" being cellie wont work out.

2.) whether Plaintiff's injuries to his mouth, nose and eyes from being punched and the face and kicked in the body resulted from defendants resistance to abate it in anyway and the defendants purposeful use of unnecessary force.

3.) whether it was defendants Heath, Raup, Zieder, Galletta
" - - - - - member in the cell - - - - -"

who also attacked and assaulted plaintiff on Nov. 26, 2009,

4.) whether the named defendants herein case violated the eighth amendment rights of Plaintiff, by attacking him and assaulting him while his hands were cuffed behind his back, and L.T. Heath placed her knee in the back of Plaintiff's neck cutting off his breathing and Cowhittaker, Raup, Galletta and Potter, Punching Plaintiff in the back and sides of his body who also slammed Plaintiff to the ground face first while Plaintiff was handcuffed behind his back,

5.) whether the force utilized by the defendants against Plaintiff was applied in good faith effort to maintain or restore order rather than being malicious and sadistic towards Plaintiff.

6.) whether it was defendants Heath, Potter, Galletta, Raup, ~~Zeller~~, ~~attest~~, ~~Combee~~, whittaker decision to use excessive force to cause serious harm and injury to Plaintiff?

Conclusion.

Plaintiff have suffered pain, from the injuries he received from inmates who were gang members, and after giving officials actual knowledge they still did nothing to abate the situation. And they themselves also attacked and assaulted plaintiff, by their own omission.

Dismiss defendants Summary judgement.

Norman G. Shelton # 45969-066

U.S. P. Lewisburg

P.O. Box 1000

Lewisburg Pa. 17837

Inmate Name: Norman A. Shelton
Register Number: 45969-066
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837

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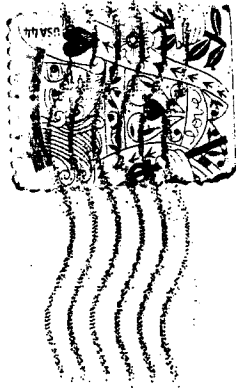
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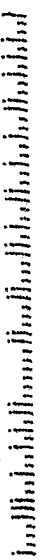
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